

DBE \$2681  
(5) ✓

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Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/932,592	
	Filing Date	August 17, 2001	
	First Named Inventor	Jonathan O. Nelson	
	Group Art Unit	2681	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	5	Attorney Docket Number	41051.P011

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FEB 27 2002

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Notification of Status Change and Payment of Potential Shortage in Filing Fees; and
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Aloysius T.C. AuYeung, Reg. No. 35,432 COLUMBIA IP LAW GROUP, PC
Signature	
Date	January 30, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 01/30/2002

Typed or printed name	Heather L. Adamson
Signature	
Date	01/30/2002

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41051.P011

Utility Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Examiner: TBD

Nelson

Art Unit: 2681

Application No.: 09/932,592

CERTIFICATE OF MAILING

Filed: August 17, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on:

For: Emoticon Input Method and Apparatus

Date of Deposit: January 30, 2002

Name of Person Mailing: Heather L. Adamsen

Signature: Heather Adamsen Date: 1/30/02

Assistant Commissioner for Patents  
Washington, D.C. 20231

02/26/2002 BNGUYEN1 00000152 09932592

Notification of Status Change and

01 FC:101  
02 FC:103  
03 FC:102

740.00 OP  
792.00 OP  
168.00 OP

Payment of Potential Shortage in Filing Fees

Sir:

Applicant hereby notifies the Commissioner of the fact that due to a recent business transaction, Applicant believes Applicant may no longer be entitled to claim small entity status. Accordingly, Applicant hereby formally withdraws such claim.

Further, Applicant encloses herewith a check for the sum of \$869.00, for the potential shortage in filing fees, resulting from Applicant's claim of small entity status at the time of filing. The enclosed payment is for the purpose of ensuring that Applicant is in full compliance with all regulation governing the application for letter patents. Occurrence of the recent business transaction has led to a review of past business transactions, resulting in the identification of other past business transactions previously unknown to Applicant's counsel. At least one of these past business transactions previously unbeknownst to Applicant's counsel may have rendered Applicant ineligible for the small business entity status at the time of filing.

Both Applicant and Applicant's counsel acted in good faith, without deceptive intent, in accordance with the knowledge known to Applicant and Applicant's counsel respectively at the

Attorney Docket No.: 41051.P011  
Application No.: 09/932,592

1

Adjustment date: 02/26/2002 BNGUYEN1  
08/22/2001 BABRAH1 00000065 09932592  
01 FC:201 -355.00 OP  
02 FC:203 -396.00 OP  
03 FC:202 -80.00 OP

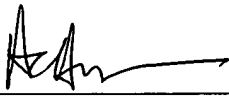
time, and both Applicant and Applicant's counsel are hereby acting diligently to correct the possible error, upon learning recently of these past business transactions.

Applicant respectfully requests that the enclosed payment be accepted.

Should other fees be required for Applicant to tender this notice and payment of the potential shortage in filing fee, the Commissioner is hereby authorized to charge any of these shortages or credit any over payment to Deposit Account, number 501569.

Respectfully submitted,  
Columbia IP Law Group, P.C.

Date: January 30, 2002

by:   
Aloysius T.C. AuYeung  
Reg. No.: 35,432

10260 SW Greenburg Rd.,  
Suite 820  
Portland, OR 97223  
(503) 595-2800



PTO/SB/17 (10-01)  
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## FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 869.00

### Complete if Known

Application Number	09/932,592
Filing Date	August 17, 2001
First Named Inventor	Jonathan O. Nelson
Examiner Name	Not yet assigned
Group Art Unit	2681
Attorney Docket No.	41051.P011

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### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number  
  
Deposit  
Account  
Name

501569

Columbia IP Law Group, PC

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	760	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
64	-20**= 44	X 18.00	=
Independent Claims	5	-3**= 2	X 84.00 =
Multiple Dependent			=

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
103	18	203	9	Claims in Excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Potential deficit in filing fee due to possible ineligibility of small entity status					\$869.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 869.00

### SUBMITTED BY

Name (Print/Type)

Aloysius T.O. AuYeung

Registration No.  
(Attorney/Agent)

35,432

### Complete (if applicable)

Telephone

503-595-2800

Signature

Date

January 30, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038**

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